

FISCAL NOTE
SB 1466 - HB 1001

March 9, 2001

SUMMARY OF BILL:

1. Creates the Tennessee Internet Personal Information Privacy Act of 2000 which prohibits any person, firm, partnership or corporation providing on-line computer services from disclosing personal information concerning a subscriber to any other person, firm, partnership or corporation unless the subscriber has: (a) consented to the disclosure; or (b) been provided a statement clearly and conspicuously disclosing the following:
 - the nature of personal information collected or to be collected with respect to the subscriber and the nature and the use of such information
 - the nature, frequency and purpose of any disclosure which may be made of such information, including identification of the types person(s) to whom such disclosure may be made.
 - the period of time such information will be maintained
 - a description of the procedure by which the subscriber may gain access to the information
2. Provides any subscriber who has been injured by reason of any violation of this section may bring an action in such subscriber's own name to enjoin such unlawful act or practice, an action to recover actual damages or \$100 whichever is greater, or both such actions. Authorizes the court, in its discretion, to increase the award of damages to an amount not to exceed three times the actual damages up to \$1,000, if the court finds the defendant willfully or knowingly violated the law. The court may also award reasonable attorney's fees to a prevailing plaintiff.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Exceeds \$1,000,000

Estimate assumes:

- The Department of Finance and Administration has interpreted the bill in its current form to apply to government entities. Numerous state government transactions would be included under the provisions of the bill.
- An increase in state expenditures of approximately \$1,000,000 resulting from at least 200 MIS system transaction codes that would have to be modified at a cost of approximately \$5,000 each.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director